

Intervenor at the Employer's three plants, at South Bellingham, North Bellingham, and Anacortes, Washington, may constitute a unit appropriate for the purposes of collective bargaining.³ We shall therefore make no final determination with respect to the crab processing department employees at this time, but shall first ascertain the desires of these employees as expressed in the election directed herein.

We shall direct an election among the following employees: All production and maintenance employees in the Employer's crab processing department at its South Bellingham, Washington, plant, excluding office clerical employees, professional employees, licensed refrigeration engineers, guards, all other employees, and supervisors as defined in the Act.

If a majority of the employees in the voting group selects the Petitioner, they will be taken to have indicated their desire to constitute a separate appropriate unit and the Regional Director conducting the election is instructed to issue a certification of representatives to the Petitioner for such unit, which the Board, under such circumstances, finds to be appropriate for purposes of collective bargaining. On the other hand, if a majority of the employees in the voting group vote for the Intervenor, they will be taken to have indicated their desire to become part of the existing unit currently represented by the Intervenor, and the Regional Director will issue a certification of results of election to that effect.

[Text of Direction of Election omitted from publication.]

³ *United States Rubber Company, supra*

A. O. SMITH CORPORATION, GRANITE CITY FRAME PLANT¹ and INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 309, AFL² AND UNITED STEELWORKERS OF AMERICA, CIO³ AND DISTRICT No. 9, INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL⁴ AND INTERNATIONAL UNION, UNITED AUTOMOBILE WORKERS OF AMERICA, AFL⁵ AND INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIPBUILDERS, BLACKSMITHS, FORGERS AND HELPERS, LOCAL 530, AFL,⁶ PETITIONERS. *Cases Nos. 14-RC-2611, 14-RC-2614, 14-RC-2628, 14-RC-2632, and 14-RC-2654. January 13, 1955*

Decision, Order, and Direction of Elections

Upon petitions duly filed under Section 9 (c) of the National Labor Relations Act, a consolidated hearing was held before John M.

¹ The name of the Employer appears as amended at the hearing.

² Herein called the IBEW.

³ Herein called the Steelworkers.

⁴ Herein called the IAM.

⁵ Herein called the UAW.

⁶ Herein called the Boilermakers.

Schobel, hearing officer. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Upon the entire record in this case, the Board finds:

1. The Employer is engaged in commerce within the meaning of the Act.

2. The labor organizations involved claim to represent certain employees of the Employer.

3. A question affecting commerce exists concerning the representation of employees of the Employer within the meaning of Section 9 (c) (1) and Section 2 (6) and (7) of the Act.

4. The Employer's instant plant is new and began operations in June 1954. It was specifically designed for the assembly line production of automobile frames. There is no history of collective bargaining at the plant. The Steelworkers and the UAW each seeks a unit of production and maintenance employees. The IBEW seeks a unit of electricians and helpers, and the Boilermakers a unit of welders and burners. The IAM at the hearing amended its unit request to conform to the Employer's job classifications, and seeks alternatively a single unit, or two separate units, of "maintenance-men machine repair machine," and "maintenance-men machine repair floor." The Employer agrees with the Steelworkers and the UAW that, in view of the integration of its operations, the only appropriate unit is an overall production and maintenance unit.

In the absence of any objection to the appropriateness of the production and maintenance unit sought by the Steelworkers and the UAW, and in accordance with our usual policy, we find that this overall unit may constitute an appropriate unit for purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

The Board has recently held ⁷ that where craft units are sought to be established without prior bargaining history, the same standards as to craft skills should apply as were set forth for craft severance in the *American Potash* ⁸ case. The record in the present case discloses that there is no apprenticeship or formal training program for any employees at the plant, and that the Employer hires mostly employees with general maintenance backgrounds rather than individuals who have attained a high degree of proficiency in one particular line. Some 15 or 20 maintenance employees have been permanently assigned to various production departments where they work under production supervisors. The maintenance employees often perform work of more than one craft, and the work of employees classified as in one group frequently overlaps that done by employees belonging to the other groups. Transfers take place between production and maintenance departments, and promotions have been made from one maintenance classifi-

⁷ *Reynolds Metal Company*, 108 NLRB 821.

⁸ *American Potash & Chemical Corporation*, 107 NLRB 1418.

cation to another without regard to the line of progression in any given skill. All maintenance employees are paid within the same rate range, which is somewhat higher than the rates paid to the production employees.

The electricians sought by the IBEW have their headquarters in an electrical shop which they use mostly for purposes of storing their tools. They are assigned their tasks by several electrical foremen, and work throughout the plant on various electrical equipment. The only witness for the IBEW, a journeyman electrician, admitted that he probably had more experience than most of the Employer's other electricians. His duties include troubleshooting, relocating electrical installations throughout the plant, and working on an unloading machine in the production department under the supervision of a company technician. The record contains no showing as to the training or experience of the other electricians. All of the Employer's major electrical construction work is performed by independent contractors. At least one of the employees classified as maintenance-man machine repair floor has performed some electrical work while in that classification. We find that the record as a whole fails to establish that the employees sought to be represented by the IBEW constitute a skilled craft group entitled to separate representation.⁹ We shall therefore dismiss the petition in Case No. 14-RC-2611.

The welders sought by the Boilermakers consist of approximately 240 employees of whom all but a few work on the production line under the supervision of production foremen; they do spot welding on frames, which work requires little skill and is repetitive in nature. At the end of the line is a more experienced welder who repairs any defective welds made by spot welders on the production line. Employees with no previous welding experience have been placed on the line after having been given only a few hours on-the-job training in welding. We find that the welders are not true craftsmen, and we shall accordingly dismiss the Boilermakers' petition in Case No. 14-RC-2654.¹⁰

As to the maintenance-men machine repair machine sought by the IAM, the record indicates that they spend a substantial portion of their time in the machine shop, where they work under separate supervision making and repairing machine parts and operating the customary hand and machine tools associated with a machine shop. Although maintenance-men machine repair floor, and handy men from the production departments, occasionally come into the machine shop to use the smaller hand tools, none of them operate the larger machines or perform any of the more highly skilled functions required of the machine repair machine men. The latter work from blueprints and

⁹ *Tuxedo Candy Co.*, 106 NLRB 1399

¹⁰ *E I Dupont de Nemours and Company*, 107 NLRB 1504.

frequently are required to work to close tolerances. They perform some work on the production floor under the direction of production foremen, but on such occasions exercise the skills of their trade and do no production work. Although the Employer has no apprenticeship for these employees, it seeks to employ individuals with experience in the machine field. We find that the maintenance-men machine repair machine are craftsmen who may constitute a separate appropriate unit if they so desire.¹¹ They may also, if they so desire, appropriately be included in the plantwide unit.

The maintenance-men machine repair floor, whom the IAM also seeks to represent, have their headquarters in the maintenance shop. Their work generally consists of repairing and maintaining machines in the plant and keeping them in operation. At least one employee in this classification testified that in addition to his machine repair work he had done a variety of jobs, including pipefitting work, welding, and some electrical work. The record does not disclose that the machine repair floor men are in the line of progression to any higher skilled classification. We find that the maintenance-men machine repair floor lack sufficient craft characteristics to warrant their establishment as a separate unit.¹²

We shall likewise reject the IAM's alternative request for a departmental unit of both maintenance-men machine repair machine, and machine repair floor, as these employees represent only a segment of the entire maintenance department, the balance of which is not sought by the Petitioner.¹³

Accordingly, we shall direct separate elections in the following voting groups:

(A) All machine shop employees in the classification of maintenance-men machine repair machine at the Employer's Granite City, Illinois, plant, excluding all other employees, guards, and supervisors as defined in the Act.

(B) All production and maintenance employees at the Employer's Granite City, Illinois, plant, excluding all employees in voting group A, office clerical employees, professional employees, guards, and supervisors as defined in the Act.

If a majority of the employees in voting group (A) vote for the IAM, they will be taken to have indicated their desire to constitute a separate appropriate unit, and the Regional Director is instructed to issue a certification of representatives to such labor organization for such unit, which the Board under the circumstances finds to be appropriate for purposes of collective bargaining. If the employees in voting group (A) vote for the IAM and if a majority of the em-

¹¹ *Hotpoint Co*, 108 NLRB 1383

¹² *Tuxedo Candy Co*, *supra*

¹³ *Moe Light, Inc*, 109 NLRB 1013

ployees in voting group (B) elect to be represented by either the Steelworkers or the UAW, then the Regional Director is instructed to issue a certification of representatives to such latter union for a unit of production and maintenance employees, which the Board under the circumstances finds to be appropriate for purposes of collective bargaining.

However, if a majority of the employees in voting group (A) do not vote for the union seeking to represent them in a separate unit, such group will be appropriately included in the same unit with the employees in voting group (B) and their votes will be pooled with those in voting group (B). The Regional Director is instructed to issue a certification of representatives to the labor organization selected by a majority of the employees in the pooled group, which the Board in such circumstances finds to be a single unit appropriate for purposes of collective bargaining.

[The Board dismissed the petitions in Cases Nos. 14-RC-2611 and 14-RC-2654.]

[Text of Direction of Election omitted from publication.]

MEMBER RODGERS took no part in the consideration of the above Decision, Order, and Direction of Elections.

MEMPHIS FURNITURE MANUFACTURING COMPANY *and* UNITED FURNITURE WORKERS OF AMERICA, CIO, PETITIONER. *Case No. 32-RC-770. January 13, 1955*

Supplemental Decision, Order, and Second Direction of Election

Pursuant to a Decision and Direction of Election issued herein on August 23, 1954,¹ an election by secret ballot was conducted on September 21, 1954, under the direction and supervision of the Regional Director for the Fifteenth Region, among employees in the unit found appropriate by the Board. Following the election, a tally of ballots was furnished the parties, which shows that of 659 votes cast in the election, 334 were for the Petitioner, 313 were against the Petitioner, 9 were void, and 12 were challenged. The challenged ballots are not sufficient in number to affect the results of the election.

Thereafter, the Employer filed objections to conduct affecting the results of the election. The Regional Director investigated the objections and, on November 5, 1954, duly served upon the parties a report

¹ Not reported in printed volumes of Board Decisions and Orders